

REMARKS

Claims 1-10 are pending in the present application. As will be discussed below, Claim 1 has been amended. No new matter has been added. Accordingly, entry of the present Amendment is requested.

Claims 1-5, 7, 8 and 10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,432,073 to Hargen. Additionally, Claims 6 and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hargen.

Claims 8 and 10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,656,351 to Raczak. Additionally, Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Raczak.

Lastly, Claims 1-3 and 6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,320,053 to Lehman.

Applicants respectfully traverse these rejections for the following reasons.

With respect to Hargen, Applicants emphasize that the liquid is expelled over the cooking food in order to bast the food, and therefore, stirring does not occur in the liquid. *See*, the Amendment filed August 15, 2002. In this regard, it is indicated in the Office Action that the liquid returned to the cooking food eventually makes its way into the liquid contained in the pan either by dropping off the sides of the food or by eventually by being expelled from the food. Applicants do not necessarily agree with this assertion, but in order to further distinguish the present claimed invention from Hargen, Claim 1 has been amended to specify that the sucked liquid is discharged from the nozzle directly into the liquid remaining in the container at a

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discharging position which is horizontally different from a sucking position where the liquid has been sucked to thereby stir the liquid.

With respect to Raczak, Applicants submit that this reference teaches an apparatus for use in combination with a container that is not shown. Applicants respectfully submit that the rejection is not appropriate. Claim 8 recites a container and that container is further defined in Claim 9 as having inclined walls. Raczak teaches a pipette which can be manipulated by hand to suck liquid at one location and discharge it at another location. However, Applicants respectfully submit that there is no teaching or suggestion in Raczak of an apparatus including a container whereby the sucking and discharging at two different locations causes stirring of a liquid.

In sum, Raczak only teaches a pipette, there is no teaching or suggestion of an apparatus including a container whereby the sucking and discharging at two different locations causes stirring of a liquid. Accordingly, Applicants respectfully submit that the present claimed invention as defined by amended Claim 1 is not anticipated or rendered *prima facie* obvious by Raczak.


With respect to Lehman, Applicants respectfully disagree that, in essence, the whole chamber 3 is a nozzle. However, to further distinguish the present claimed invention from Lehman, Claim 1 has been amended to specify that the liquid is sucked into a nozzle and discharged from the same nozzle. Applicants respectfully submit that the present claimed invention as defined by amended Claim 1 is not anticipated by Lehman. Accordingly, withdrawal of the rejection based by Lehman is requested.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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PATENT TRADEMARK OFFICE

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Twice Amended) A method for stirring a liquid, comprising:

sucking a part of a liquid into a nozzle from a liquid-containing container which opens at the top thereof; and

discharging the sucked liquid from the same nozzle directly into liquid remaining in the container at a discharging position which is horizontally different from a sucking position where the liquid has been sucked to thereby stir the liquid.

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